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	TRAN	SMITTA	\L	Application Number & Confirmation Number		10/787,058	9527
	F	ORM		Filing Date		2/24/2004	
(t	o be used for all co	rrespondence after i	nitial filing)	First Named Inventor		Spilker, Jr.	
				Group Art Unit		3662	
				Examiner Name			
	Total Number of	of Pages in This Sub	mission	Attorney Docket Numb	er	RSM054001	
			ENCLOSURES	(check all that apply)			
	Fee Transmittal	Form	Assigni (for an	ment Papers Application)		After Allowance Co to Group	ommunication
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	Amendment / Re	eply	Licensi	ng-related Papers		Appeal Communic (Appeal Notice, Brief,	ation to Group Reply Brief)
	After Fina	al	Petition	ı		Proprietary Inform	ation
	Affidavits	/declaration(s)		n to Convert to a onal Application		Status Letter	
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	Express Abando	onment Request	Addres Termin	s ial Disclaimer	Po	stcard	
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	Response to Mis	ssing Parts/	Remarks		<u> </u>		
	Incomplete Appl Respons	e to Missing Parts					
	under 37	CFR 1.52 or 1.53					
		SIGNAT	URE OF APPL	ICANT, ATTORNEY, O	R AG	ENT	
Firm or		Richard A. Dunning	g, Jr.				
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Attorney Docket No.: RSM054001



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Spilker, Jr.

Art Unit : 3662

Serial No.: 10/787,058

Examiner:

Filed

: 2/24/2004

Conf. No.: 9527

Title

: POSITION LOCATION AND DATA TRANSMISSION USING PSEUDO

DIGITAL TELEVISION TRANSMITTERS

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## **INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §§ 1.56 and 1.97-98**

Pursuant to the provisions of 37 CFR §§ 1.56 and 1.97-98, enclosed herewith is a modified form PTO-1449 listing documents for consideration by the Examiner.

The filing of this Information Disclosure Statement shall not be construed as a representation regarding the completeness of the list of documents, or that inclusion of a document in this list is an admission that it is prior art or is pertinent to this application, or that a search has been made, or as an admission that the information listed is, or may be considered to be, material to patentability, or that no other material information exists, and shall not be construed as an admission against interest in any manner.

This Information Disclosure Statement is being filed:

- within three months of the filing date of the application, or date of entry into the  $\times$ national stage of an international application, or before the mailing date of a first office action on the merits, whichever event last occurred;
- before the mailing of a first official action after the filing of a request for continued examination (RCE) under 37 CFR § 1.114;
- after three months from the filing date of this national application or the date of entry of the national stage in an international application, or after the mailing date of the first official action on the merits, whichever event last occurred, but before the mailing date of the first to occur of either: (1) a final action under 37 CFR § 1.113; or (2) an action that otherwise closes prosecution in the application, and:

## CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, PO Box \$450, Alexandria, VA 22313-1450.

Diane Dunning

Typed or Printed Name of Person Signing Certificate

Applicant : Spilker, Jr. Serial No. : 10/787,058 Filed : 2/24/2004 Attorney's Docket No.: RSM054001

Page: 2

	Ц	attached hereto is the fee set forth under 37 CFR § 1.17(p) for submission
		of this Information Disclosure Statement under 37 CFR § 1.97(c); OR
		Applicant certifies pursuant to 37 CFR § 1.97(e) that:
		each item of information contained in this Information Disclosure
		Statement was first cited in a communication from a foreign patent
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		months prior to the filing of this Statement; OR
		no item of information contained in this Information Disclosure
		Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable
		inquiry, no item of information contained in this Statement was
		known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement;
П	hefore	the payment of the issue fee but after the mailing date of the first to occur
_		her: (1) a final action under 37 CFR § 1.113; or (2) an action that otherwise
		prosecution in the application, and:
		Applicant certifies pursuant to 37 CFR. § 1.97(e) that:
		each item of information contained in this Information Disclosure
		Statement was cited in a communication from a foreign patent
		office in a counterpart foreign application not more than three
		months prior to the filing of this Statement; or
		no item of information contained in this Information Disclosure
		Statement was cited in a communication from a foreign patent
		office in a counterpart foreign application and, to the knowledge of
		the person signing this certification after making reasonable
		inquiry, no item of information contained in this Statement was
		known to any individual designated under 37 CFR § 1.56(c) more
	П	than three months prior to the filing of this Statement; AND
	L	attached hereto is the fee set forth under 37 CFR § 1.17 (p) for submission of this Information Disclosure Statement under 37 CFR § 1.97(c); OR
	after :	the payment of the issue fee. Applicant requests that the information
		ned in this Information Disclosure Statement be placed in the file according
		CFR § 1.97(i), although the information may not be considered by the
	USPT	• • • • • • • • • • • • • • • • • • • •
This a		ion relies, under 35 U.S.C. § 120, on the earlier filing date of prior
		Io.10/210,847, filed on 7/31/2002, and the documents cited therein are
		nced, but are not required to be provided in this application under 37 CFR §
1.98(d		
•	•	information contained in this Information Disclosure Statement was cited in
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comm	unicatio	on was not received by any individual designated in 37 CFR § 1.56(c) more
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1.704(	d).	

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Applicant: Spilker, Jr. Attorney's Docket No.: RSM054001

Serial No.: 10/787,058 Filed: 2/24/2004 Page: 3

Applicant submits that no fee is required for the consideration of this Information Disclosure Statement.

Consideration of the listed documents and favorable action are respectfully requested.

Law Office of Richard A. Dunning 343 Soquel Avenue, Suite 311

Santa Cruz, CA 95062

Telephone: 831.420.0561 Facsimile: 413.541.0092 Respectfully submitted,

Richard A. Dunning, Jr.

Attorney/Agent for Applicant(s)

Reg. No. 42502

Substitute for form 1449A/PTO

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Complete if Known						
Appl. No. & Conf. No.	10/787,058					
Filing Date	2/24/2004					
First Named Inventor	Spilker, Jr.					
Group Art Unit						
Examiner Name						
Attorney Docket Number	RSM054001					

U.S. PATENT DOCUMENTS  U.S. Patent Document  Detail Furthering of Pages, Columns, Lines,								
Examiner Initials*	Cite No. <sup>1</sup>	Number	Kind Code <sup>2</sup> (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Where Relevant Passages or Relevant Figures Appear		
	Α	5,157,686		Omura et al.	10-20-1992			
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	X	6,433,740		Gilhousen	08-2002			

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		I	Foreign Patent Docu	ument		Date of Publication of	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear				
Examiner Initials*	Cite No. <sup>1</sup>	Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> ( <i>if known</i> )	Ode <sup>5</sup> Name of Patentee of Applicant of C	Cited Document MM-DD-YYYY					
	Υ	GB	2 222 922	A	Spectronics Micro System	03-21-1990					
	Z	GB	2 254 508	Α	Mitchison, et al.	10-07-1992		<u> </u>			
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<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>&</sup>lt;sup>1</sup>Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

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				Appl. No. & Conf. No.	10/787,058		
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				Group Art Unit	2641		
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Sheet	2	of	2	Attorney Docket Number	RSM054001		

NON PATENT	LITER/	ATURE DOCUMENTS	
Examiner Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
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Examiner	Date		
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